

Before the
Federal Communications Commission
Washington, D.C. 20554

Nov 18 2002

In the matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments,)	
FM Broadcast Stations.)	
(Dickens, Texas)	)	MB Docket No. 02-258
	)	RM-10500
)	
(Floydada, Texas)	)	MB Docket No. 02-259
	)	RM-10501
)	
(Rankin, Texas)	)	MB Docket No. 02-262
	)	RM-10504
)	
(San Diego, Texas)	)	MB Docket No. 02-264
	)	RM-10505
)	
(Westbrook, Texas)	)	MB Docket No. 02-265✓
	)	RM-10556
)	

REPORT AND ORDER

Adopted: November 6, 2002

Released: November 8, 2002

By the Assistant Chief, Audio Division:

I. The Audio Division has before it *Notices of Proposed Rule Making*, specified below, setting forth five separate proposals to allot a FM channel to a specific community. Each petitioner filed comments in support of its proposal reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

A. MB Docket No. 02-258; RM-10500

Action: At the request of Maurice Salsa, we are allotting Channel **294A** at Dickens, Texas, as the community's first local FM transmission service.¹

¹ *Dickens, TX et al.*, 17 FCC Red 16350 (M.B. Bur 2002)

² Dickens, Texas is an incorporated community with a 2000 U.S. Census population of 332 persons. Dickens is the county seat of Dickens County. Dickens has its own mayor, post office, volunteer fire department, city hall, and a number of local churches.

Coordinates: The reference coordinates for Channel 294A at Dickens are 33-40-43 North Latitude and 100-45-00 West Longitude.

Additional Information: This allotment requires a site restriction of 10.1 kilometers (6.3 miles) northeast to avoid a short-spacing to the license site of Station KEJS, Channel 293C2, Lubbock, Texas.

FCC Contact: Rolanda F. Smith (202) 418-2180

B. MB Docket No. 02-259; RM-10501

Action: At the request of Linda Crawford, we are allotting Channel 255A at Floydada, Texas, as the community's second local FM transmission service.

Coordinates: The reference coordinates for Channel 255A at Floydada are 34-00-54 North Latitude and 101-18-29 West Longitude.

Additional Information: This allotment requires a site restriction of 4.3 kilometers (2.7 miles) northeast to avoid a short-spacing to the license site of Station KQBR, Channel 258C1, Lubbock, Texas.

FCC Contact: Rolanda F. Smith (202) 418-2180

C. MB Docket No. 02-262; RM-10504

Action: At the request of Robert Fabian, we are allotting Channel 229C3 at Rankin, Texas, as the community's first local FM transmission service.³

Coordinates: The reference coordinates for Channel 229C3 at Rankin are 31-11-24 North Latitude and 101-48-39 West Longitude.

Additional Information: This allotment requires a site restriction of 12.6 kilometers (7.8 miles) east of Rankin, Texas. Although concurrence has been requested for Channel 229C3 at Rankin, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Rankin herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Rolanda F. Smith (202) 418-2180

D. MB Docket No. 02-264; RM-10505

Action: At the request of Charles Crawford, we are allotting Channel 273A at San Diego, Texas, as the community's second local FM transmission service.

³ Rankin is an incorporated community with a 2000 U.S. Census population of 800 persons. Rankin has its own mayor, post office, volunteer fire department, school district, and a number of local churches.

Coordinates: The reference coordinates for Channel 273A at San Diego, Texas are 27-46-29 North Latitude and 98-20-04 West Longitude.

Additional Information: This allotment requires a site restriction of 9.6 kilometers (5.9 miles) west to avoid a short-spacing to the license site of Station KNDA, Channel 275C2, Alice, Texas. Although concurrence has been requested for Channel 273A at San Diego, Texas, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for San Diego herein *is* subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Rolanda F. Smith (202) 418-2180

E. MB Docket No. 02-265; RM-10556

Action: At the request of Maurice Salsa, we are allotting Channel 272A at Westbrook, Texas, as the community's first local FM transmission service.⁴

Coordinates: The reference coordinates for Channel 272A at Westbrook, Texas are 32-22-24 North Latitude and 101-04-58 West Longitude.

Additional Information: This allotment requires a site restriction of 6.8 kilometers (4.2 miles) west to avoid a short-spacing to the license site of Station KFZX, Channel 271C, Gardendale, Texas. Although concurrence has been requested for Channel 272A at Westbrook, Texas, notification has not been received. If a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Mexican government, the construction permit will include the following condition: "Operation with the facilities specified for Westbrook herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement."

FCC Contact: Rolanda F. Smith (202) 418-2180

2. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, **IT IS ORDERED**, That effective December **23, 2002**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, **IS AMENDED**, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Dickens, Texas	294A
Floydada, Texas	291C3, 255A
Rankin, Texas	229C3

⁴ Westbrook is an incorporated community with a 2000 U.S. Census population of 203 persons. Westbrook has its own mayor, post office, volunteer fire department, school district, city hall and several local churches.

San Diego, Texas

290C3, 273A

Westbrook, Texas

272A

3. The window period for tiling applications for these allotments will **not** be opened at **this** time. Instead, the issue of opening these allotments for auction will be addressed **by** the Commission in a subsequent order.

4. **IT IS FURTHER ORDERED**, That the aforementioned proceedings **ARE TERMINATED**.

5. For further information concerning a specific docket, contact the FCC Contact listed above for that docket.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau